

**FILED** *ke*  
SEP 19 2019  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

BENJAMIN F. MERCER,

Plaintiff,

v.

ALABAMA DEPARTMENT OF  
TRANSPORTATION,

Defendant.

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Case No.: 2:16-cv-01204-RDP

**VERDICT FORM**

**Do you find from a preponderance of the evidence:**

1. That Benjamin Mercer has shown that his race was a motivating factor that prompted ALDOT discharge Benjamin Mercer from employment?

Answer Yes or No

yes

[If your answer to question I is "No," this ends your deliberations, and your foreperson should sign and date the last page of this verdict form. If your answer is "Yes," go to the next question.]

2. That ALDOT has shown that it would have discharged Benjamin Mercer from employment for race-neutral reasons, even if ALDOT had not taken Benjamin Mercer's race into account?

Answer Yes or No

yes

[If your answer to question II is "Yes," this ends your deliberations, and your foreperson should sign and date the last page of this verdict form. If your answer is "No," go to the next question.]

3. That Benjamin Mercer has shown that he should be awarded damages to compensate for a net loss of wages and benefits to the date of your verdict?

Answer Yes or No \_\_\_\_\_

If your answer is "Yes," state the amount in lost wages or benefits that Benjamin

Mercer has proven: \$ \_\_\_\_\_

[Regardless of your response to question III, go to the next question.]

4. That Benjamin Mercer has shown that he should be awarded damages to compensate for emotional pain and mental anguish?

Answer Yes or No \_\_\_\_\_

If your answer is "Yes," state the amount in lost wages or benefits that Benjamin

Mercer has proven: \$ \_\_\_\_\_

SO SAY WE ALL.



Foreperson's Signature

9-19-19

Date